



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/802,567

03/17/2004

Romeo Deplazes

0127-093P/JAB

3501

22831 7590 04/11/2007
SCHWEITZER CORNMAN GROSS & BONDELL LLP
292 MADISON AVENUE - 19th FLOOR
NEW YORK, NY 10017

EXAMINER

LANGDON, EVAN H

ART UNIT

PAPER NUMBER

3654

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
--	-----------	---------------

3 MONTHS

04/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/802,567	Applicant(s) DEPLAZES ET AL.	
	Examiner Evan H. Langdon	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08 March 2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herkel et al. (6,173,814 B1) in view of Otto et al. (US 4,106,593).

In regards to claims 1 and 2, Herkel discloses a control circuit for a lift system 8 having a lift cage movable in a lift shaft 70 by a drive unit, a control 20 for controlling the drive unit, a data bus 4 connected with the control, shaft doors for closing the lift shaft, locking devices for locking the shaft doors at a shaft side and lock sensors 91-93 for monitoring the setting of the locking devices, wherein the lock sensors 91-93 are connected with the control by way of the data bus 4, the improved control circuit comprising means for repeatedly automatically

Art Unit: 3654

interrogating a lock sensor at short time intervals (col. 2, lines 60-64 and col. 7, lines 29-67) by way of the data bus 4 whereby communications interruptions or transmission errors in data bus transmissions are detected and for periodically testing the function of the locking sensors (col. 2, lines 60-61 and col. 3, lines 25-37) of all elevator shaft doors by observing the signals they produce during opening/closing of the shaft doors in normal elevator operation of a cage door operation signal by the control circuit to an elevator story whose shaft doors have not been operated within a defined period of time, and means for passing the results of the interrogations to the controller by way of the data bus 4, and the locking device is self-shutting when the corresponding shaft door is closed.

Otto teaches a system processor 70 that serially sends command signals to each elevator car, including operation signals that open and close the doors, and the elevator car sends a status signal to the systems processor (col. 4 ll. 65 to col. 11. 17).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the safety control signal of Herkel to include an active control signal as suggested by Otto, to actively supervise the operation of the elevator cars (Otto, col. 2, ll. 14-27).

In regards to claims 3-5, Herkel as modified by Otto teaches the locking sensor 91-93 includes means for monitoring the state of the associated locking device (Herkel, col. 5 line 38 – col. 6 line 9).

In regards to claims 6-9, Herkel as modified by Otto teaches the control includes means for evaluating interrogation of the locking sensors in order to be able to trigger one or more of: recognition and localization of a fault; triggering of a service call; or, if an open shaft door was recognized, stopping lift cage or carrying out a situation-adapted reaction, and the control

Art Unit: 3654

includes means for evaluating the interrogation of the locking sensors in order to correct ascertained transmission errors by evaluation of several data packets, and including means for monitoring a cage door in order to make possible, by means of a coincidence check of the signals of a shaft door and the a cage door, a statement about the functional capability of at least one of the shaft door and the locking sensor of the shaft door. (Herkel, col. 7 line 29 – col. 8 line 5).

In regards to claim 10, Herkel as modified by Otto teaches means for detecting a state of the shaft doors and for transmitting information about the state of the shaft door by way at least one of the data bus or a safety bus to the control (Herkel, col. 3, lines 58-65).

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection. The amendment to claim 1, "and by periodically sending a cage door operation signal" necessitated the new grounds of rejection.

Conclusion

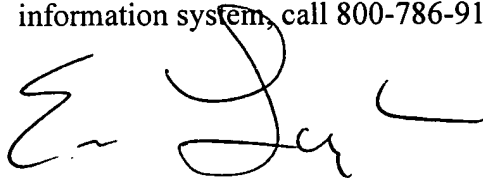
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H. Langdon whose telephone number is (571)272-6948. The examiner can normally be reached on M-F 8:30-5:00.

Art Unit: 3654

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'E. Langdon', with a stylized flourish at the end.

Evan Langdon
Patent Examiner